Jackson

MESSAGE

OF THE

GOVERNOR OF THE STATE OF ILLINOIS,

IN RELATION

TO THE DISTURBANCES IN HANCOCK COUNTY,

DECEMBER, 23, 1844.

Laid on the table, and 2,500 copies ordered to be printed for the use of the two houses.

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EXECUTIVE DEPARTMENT,
Springfield, December 23, 1844.

To the Senate:

I have the honor to lay before the Senate a special message in relation to the disturbances in Hancock county.

I am most respectfully, &c.

THOMAS FORD.

MESSAGE

FROM

THE GOVERNOR,

In relation to the disturbances in Hancock county.

To the Honorable, the Senate,
and House of Representatives:

As many versions of the disturbances during the last summer and fall, in Hancock county, have gone abroad to the world, I have thought it proper to state in a solemn and authentic form, every thing connected with those transactions which has come to my knowledge; and upon which I rely as the truth.

On the seventeenth day of June last, a committee of a meeting of the citizens of Carthage, presented themselves to me, with a request that the militia might be ordered out to assist in executing process in the city of Nauvoo. From the affidavits presented at the same time, I judged that an occasion had arisen of considerable difficulty and perplexity; and from their statements, I could be of no other opinion than that great excitement existed in the minds of the people. I therefore determined to visit, in person, that section of country, and examine for myself the truth and nature of their complaints; and being on the ground, I would be the better enabled to judge of what ought to be done, under the actual circumstances existing. Therefore, no order for the militia was made; and I arrived at Carthage on the morning of the twenty-first day of the same month.

Upon my arrival I found an armed force assembled, and hourly increasing, under the summons and direction of the constables of the county, to serve as a posse comitatus to assist in the execution of process. The General of that Brigade, had also called for the militia, en masse, of the counties of McDonough and Schuyler, for a similar purpose. Another assemblage to a considerable number, had been made at Warsaw, under the command of Col. Levi Williams.

The first thing which I did on my arrival, was to place all the militia then assembled or which were expected to assemble, under military command of their proper officers.

I next despatched a messenger to Nauvoo, informing the Mayor and Common Council of the nature of the complaint made against them; and requested that persons might be sent to me, to lay their

side of the question before me. A committee was accordingly sent, who made such acknowledgments, that I had no difficulty in concluding that the following facts were perfectly true.

It appears that a certain portion of the citizens of Nauvoo became dissatisfied with the conduct of some of the leading men of the place; and established a newspaper press, as the organ of their peculiar views. Those persons were ex-communicated from the church called, "The Latter day Saints," but more familiarly known as the Mormon Church; and their printing press and materials were destroyed, by order of the Common Council.

It appeared that previous to the destruction of the press, a very curious trial was had before the Common Council, which resulted in a judgment of that body, that the press was a public nuisance and ought to be abated. It does not appear that any person was tried, or that any of the owners of the property had notice of the proceeding, or were permitted to defendin any particular. The proceeding was an ex-parte proceeding *in rem* against the property. No jury was called or sworn, and most of the witnesses were permitted to give their evidence, without being under oath. It appeared further, that there existed no general ordinance of the city, defining such a press to be a nuisance; and further, that the Common Council possessed legislative authority, only; and could, under no pretence, set in judgment as a court.

The press, however, was declared to be a nuisance; and the Mayor was ordered to see it abated as such; and if necessary, to call to his assistance a portion of the Nauvoo Legion. The Mayor made his warrant to the Marshal of the city, who, aided by a portion of the Legion, executed his warrant, by destroying the press and scattering the type and other materials of the office.

The owners of the property proceeded to Carthage and took out warrants from before a justice of the peace, against the Mayor and members of the Council and others engaged in the outrage, for a riot. Some of these were arrested, but were immediately taken before the municipal court of the city by writ of habeas corpus and discharged. It appears that the city charter confers upon that court power to issue writs of habeas corpus in all cases of imprisonment arising under the ordinances of the city; a provision manifestly relating to such imprisonment as might be the consequence of violations of the city ordinances. But the Common Council passed an ordinance conferring upon the court, jurisdiction to issue the writ in all cases of arrest and imprisonment in the city, by whatsoever authority the same might be made; thus drawing to that court, jurisdiction to discharge from every kind of imprisonment, whether made by State or federal authority; and making it impossible to execute the laws there, unless permitted by the municipal court.

The whole proceedings of the Mayor, the Common Council, and the Municipal Court, were irregular and illegal, and not to be endured in a free country; though perhaps some apology might be made for the court, as it had been repeatedly assured by some of the best lawyers in the State, who had been candidates for office, before that people, that it had full and competent power to issue writs of habeas corpus in all cases whatever. The Common Council violated the law in assuming the exercise of judicial power; in proceeding exparte without notice to the owners of the property; in proceeding against the property in rem; in not calling a jury; in

not swearing all the witnesses; in not giving the owners of the property accused of being a nuisance, in consequence of being libelous, an opportunity of giving the truth in evidence; and in fact by not proceeding by civil suit or indictment, as in other cases of libel. The Mayor violated the law in ordering this erroneous and absurd judgment of the Common Council to be executed. And the municipal court erred in discharging them from arrest.

As this proceeding touched the liberty of the press, which is justly dear to any republican people, it was well calculated to raise a great flame of excitement. And it may well be questioned, whether years of misrepresentation by the most profligate newspaper could have engendered such a feeling as was produced by the destruction of this one press.

There were other causes, to heighten the excitement. These people had undertaken to innovate upon the established systems of religion. Their legal right to do so, no one will question. But all history bears testimony that innovations upon religion have always been attended by a temper of hostility in the public mind; which sometimes, has produced the most desolating wars; always, more or less of persecution. Even the innocent Quakers, the unoffending Shakers, and the quiet and orderly Methodists, in their origin, and until the world got used to them, had enough of persecution to encounter. But if either of these sects had congregated together in one city, where the world could never get to know them; could never ascertain, by personal acquaintance, the truth or falsity of the many reports which are always circulated to the prejudice of such innovators: and moreover, if they had armed themselves; and organized into a military legion as the citizens of Nauvoo, and had been guilty of the high handed proceedings carried on against the heretical press, the public animosity, and their persecutions, must have been greatly increased, in rancor and severity.

In addition to these causes of excitement, there were a great many reports in circulation, and generally believed by the people; or at least, they pretended to believe them. I mention these reports and rumors, not because I had any evidence of their truth, but because they had a serious influence in swelling the public excitement.

It was asserted that Joseph Smith, the founder and head of the Mormon church, had caused himself to be crowned and anointed King of the Mormons; that he had embodied a band of his followers, called Danites, who were sworn to obey him as God, and to do his commands, murder and treason not excepted; that he had instituted an order in the church, whereby those who composed it were pretended to be sealed up to eternal life, against all crimes, save the shedding of innocent blood or consenting thereto. That this order was instructed that no blood was innocent blood, except that of the members of the church; and that these two orders were made the ministers of his vengeance, and the instruments of an intolerable tyranny, which he had established over his people, and which he was about to extend over the neighboring country. The people affected to believe, that with this power in the hands of an unscrupulous leader, there was no safety for the lives or property of any one who should oppose him. They affected likewise, to believe, that Smith inculcated the legality of perjury, or any other crime, in defence, or to advance the interests of the true believers; and that himself had set them the example, by swearing to a false accusation against a certain person,

for the crime of murder. It was likewise asserted, to be a fundamental article of the Mormon faith, that God had given the world and all it contained, to them as his saints; that they secretly believed in their right to all the goodly lands, farms, and property, in the country; that at present, they were kept out of their rightful inheritance by force; that consequently, there was no moral offence in anticipating God's good time to put them in possession by stealing, if opportunity offered; that in fact, the whole church was a community of murderers, thieves, robbers, and outlaws; that Joseph Smith had established a Bogus factory in Nauvoo, for the manufacture of counterfeit money; and that he maintained about his person, a tribe of swindlers, blacklegs, and counterfeiters, to make it, and put it into circulation.

It was also believed, that Joseph Smith had announced a revelation from heaven, sanctioning polygamy, by some kind of spiritual-wife system, which I never could well understand; but at any rate, whereby a man was allowed one wife in pursuance of the laws of the country, and an indefinite number of others, to be enjoyed in some mystical and spiritual mode; and that he himself, and many of his followers, had practiced upon the precepts of this revelation, by seducing a large number of women.

It was also asserted, that Joseph Smith was in alliance with the Indians of the Western Territories; and had obtained over them such a control, that in case of a war, he could command their assistance, to murder his enemies.

Upon the whole, if one half of these reports had been true, the Mormon community must have been the most intolerable collection of rogues ever assembled; or, if one half of them were false, they were the most maligned and abused.

Fortunately for the purposes of those who were active in creating excitement, there were some truths which gave countenance to some of these accusations. I apprehend that it was sufficiently proved in a proceeding at Carthage, whilst I was there, that Joseph Smith had sent a band of his followers to Missouri to kidnap two men who were witnesses against a member of his church, then in jail, and about to be tried on a charge of larceny. It was also a notorious fact, that he had assaulted and severely beaten an officer of the county, for an alleged non-performance of his duty, at a time when that officer was just recovering from severe illness. It is a fact also, that he stood indicted for the crime of perjury, as was alleged, in swearing to an accusation for murder. It is a fact also, that his municipal court, of which he was chief justice, by writ of habeas corpus had frequently discharged individuals accused of high crimes and offences against the laws of the State; and on one occasion had discharged a person accused of swindling the Government of the United States, and who had been arrested by process of the federal courts. Thereby giving countenance to the report, that he obstructed the administration of justice; and had set up a government at Nauvoo, independent of the laws and government of the State. This idea was further corroborated in the minds of the people, by the fact that the people of Nauvoo had petitioned the last session of Congress for a territorial government, to be established at Nauvoo, and to be independent of the State government. It was a fact also, that some larcenies and robberies had

been committed, and that Mormons had been convicted of the crimes; and that other larcenies had been committed by persons unknown, but suspected to be Mormons. Justice, however, requires me here to say, that I have investigated the charge of promiscuous stealing, and find it to be greatly exaggerated. I could not ascertain that there were a greater proportion of thieves in that community, than any other of the same number of inhabitants; and perhaps if the city of Nauvoo were compared with St. Louis, or any other Western city, the proportion would not be so great. I think it very probable, however, that the Mormons sometimes erred in protecting members of their community from prosecution and punishment, who were accused of offences, under a belief that the accusation against them, was a persecution of their enemies on account of their religion.

I have reason to believe too, that the report of an alliance with the Indians, was a groundless calumny. For, on a late occasion when fifteen or twenty Potawatamie Indians passed Nauvoo in their canoes on their way to their hunting grounds in Iowa territory, it was at once asserted, that as many as two hundred Indians had come to the assistance of the Mormons; and were ready to scalp and murder their enemies; and this ridiculous story was greedily swallowed by an excited people.

Another cause of excitement, was a report, industriously circulated and generally believed, that Hyrum Smith, another leader of the Mormon church, had offered a reward for the destruction of the press of the "Warsaw Signal," a newspaper published in the county, and the organ of the opposition to the Mormons. It was also asserted that the Mormons, scattered through the settlements of the county, had threatened all persons who turned out to assist the constables, with the destruction of their property and the murder of their families, in the absence of their fathers, brothers and husbands.

But the great cause of popular fury was, that the Mormons at several preceding elections had cast their vote as an unit; thereby making the fact apparent that no one could aspire to the honors or offices of the country, within the sphere of their influence, without their approbation and votes. It appears to be one of the principles by which they insist upon being governed as a community to act as a unit in all matters of government and religion. They express themselves to be fearful that if division should be encouraged in politics, it would soon extend to their religion, and rend their church with scism, and into sects.

This seems to me to be an unfortunate view of the subject, and more unfortunate in practice, as I am well satisfied that it must be the fruitful source of excitement, violence, and mobocracy, whilst it is persisted in. It is indeed unfortunate for their peace, that they do not divide in elections, according to their individual preferences or political principles, like other people.

This one principle and practice of theirs, has arrayed against them in deadly hostility, all aspirants for office who are not sure of their support, and all who have been unsuccessful in elections, with all their friends and influence.

These also were the active men in blowing up the fury of the people; in hopes that a popular movement might be set on foot, which would result in the expulsion or extermination of the Mormon voters. For this purpose

public meetings had been called; inflamatory speeches had been made; exaggerated and unfounded reports had been extensively circulated; committees had been appointed, and rode night and day to spread the reports, and solicit the aid of the neighboring counties. And at a public meeting at Warsaw resolutions were passed to expel or exterminate the Mormon population. This was not however, a movement which was unanimously concurred in. The county contained a goodly number of inhabitants in favor of peace, or who at least desired to be neutral in such a contest. These were stigmatised by the name of "*Jack Mormons*," and there were not a few of the more furious exciters of the people, who openly expressed their intention to involve them in the common expulsion or extermination.

A system of excitement and agitation was artfully planned and executed with tact. It was planned and executed very much upon the principle adopted by the Jacobins in revolutionary France. It consisted in spreading reports and rumors of the most fearful character. As examples: On the morning before my arrival at Carthage, I was awakened at an early hour, by the frightful report, which was asserted with confidence and apparent consternation, that the Mormons had already commenced the work of burning, destruction and murder; and that every man capable of bearing arms, was instantly wanted at Carthage, for the protection of the country. We lost no time in starting; but when we arrived at Carthage, we could hear no more concerning this story. Again, during the few days that the militia were encamped at Carthage, frequent applications were made to me, to send a force here, and a force there, and a force all about the country, to prevent murders, robberies, and larcenies, which it was said, were threatened by the Mormons. No such forces were sent; nor were any such offences committed at that time, except the stealing of some provisions; and there was never the least proof that this was done by a Mormon. Again, on my late visit to Hancock county I was informed by some of their violent enemies, that the larcenies of the Mormons had become unusually numerous and insufferable. They indeed admitted that but little had been done in this way in their immediate vicinity. But they insisted that sixteen horses had been stolen by the Mormons in one night, near Lima in the county of Adams. At the close of the expedition, I called at this same town of Lima, and upon enquiry, was told that no horses had been stolen in that neighborhood, but that sixteen horses had been stolen in one night in Hancock county. This last informant being told of the Hancock story, again changed the venue, to another distant settlement in the northern edge of Adams.

As my object in visiting Hancock was expressly to assist in the execution of the laws, and not to violate them, or to witness or permit their violation; as I was convinced that the Mormon leaders had committed a crime in the destruction of the press, and had resisted the execution of process, I determined to exert the whole force of the State, if necessary, to bring them to justice. But seeing the great excitement in the public mind, and the manifest tendency of this excitement to run into mobocracy, I was of opinion that before I acted, I ought to obtain a pledge from the officers and men to support me in strictly legal measures, and to pro-

tect the prisoners in case they surrendered. For I was determined, if possible, that the forms of law should not be made the catspaw of a mob, to seduce these people to a quiet surrender, as the convenient victims of popular fury. I, therefore, called together the whole force then assembled at Carthage, and made them an address, explaining to them what I could, and what I could not, legally do; and also adducing to them various reasons why they as well as the Mormons, should submit to the laws; and why, if they had resolved upon revolutionary proceedings, their purpose should be abandoned. The assembled troops seemed much pleased with the address; and upon its conclusion the officers and men unanimously voted, with acclamation, to sustain me in a strictly legal course, and that the prisoners should be protected from violence. Upon the arrival of additional forces from Warsaw, McDonough and Schuyler, similar addresses were made, with the same result.

It seemed to me that these votes fully authorized me to promise the accused Mormons the protection of the law in case they surrendered. They were accordingly duly informed that if they surrendered they would be protected, and if they did not, the whole force of the State would be called out, if necessary, to compel their submission. A force of ten men was despatched with the constable to make the arrests and to guard the prisoners to Head Quarters.

In the meantime, Joseph Smith, as Lieutenant General of the Nauvoo Legion, had declared martial law in the city; the Legion was assembled and ordered under arms; the members of it residing in the country, were ordered into town. The Mormon settlements obeyed the summons of their leader, and marched to his assistance. Nauvoo, was one great military camp, strictly guarded and watched; and no ingress or egress was allowed, except upon the strictest examination. In one instance which came to my knowledge, a citizen of McDonough, who happened to be in the city, was denied the privilege of returning, until he made oath that he did not belong to the party at Carthage; that he would return home without calling at Carthage; and that he would give no information of the movement of the Mormons.

However, upon the arrival of the constable and guard the Mayor and Common Council at once signified their willingness to surrender, and stated their readiness to proceed to Carthage next morning at eight o'clock. Martial law had previously been abolished. The hour of eight o'clock came, and the accused failed to make their appearance. The constable and his escort returned. The constable made no effort to arrest any of them; nor would he or the guard delay their departure one minute beyond the time, to see whether an arrest could probably be made. Upon their return they reported, that they had been informed that the accused had fled and could not be found.

I immediately proposed to a council of officers, to march into Nauvoo with the small force then under my command, but the officers were of opinion that it was too small, and many of them insisted upon a further call of the militia. Upon reflection I was of opinion that the officers were right in the estimate of our force; and the project for immediate action was abandoned. I was soon informed however, of the conduct of the constable and guard, and then I was perfectly satisfied that a most base fraud had been attempted; that in fact it was feared, that the Mor-

mons would submit; and thereby entitle themselves to the protection of the law. It was very apparent that many of the bustling active spirits, were afraid that there would be no occasion for calling out an overwhelming militia force; for marching it into Nauvoo; for probable mutiny when there; and for the extermination of the Mormon race. It appeared that the constable and the escort were fully in the secret, and acted well their part, to promote the conspiracy.

Seeing this to be the state of the case, I delayed any further call of the militia, to give the accused another opportunity to surrender; for indeed I was most anxious to avoid a general call for the militia at that critical season of the year. The whole spring season preceding, had been unusually wet. No ploughing of corn had been done, and but very little planting. The season had just changed to be suitable for ploughing. The crops which had been planted, were universally suffering; and the loss of two weeks, or even of one, at that time, was likely to produce a general famine all over the country. The wheat harvest was also approaching; and if we got into a war, there was no foreseeing when it would end, or when the militia could safely be discharged. In addition to these considerations; all the grist mills in all that section of the country had been swept away, or disabled, by the high waters; leaving the inhabitants almost without meal or flour; and making it impossible then to procure provisions, by impressment or otherwise, for the sustenance of any considerable force. I was totally without funds belonging to the State, with which to purchase at more distant markets; and there was no manner of certainty that such purchases could have been made on the credit of the State, considering the embarrassed condition of the treasury. I was also desirous of avoiding the expense of a great armament; and of a war, the duration and expense of which, could not be foreseen; if they could be honorably avoided.

In the meantime I made a requisition upon the officers of the Nauvoo Legion, for the surrender of the State arms in their possession. It appears that there is no evidence in the Quarter Master General's Office, of the number and description of the arms with which the Legion had been furnished. On this subject I applied to Gen. Wilson Law, for information. He had lately been the Major General of the Legion. He had seceded from the Mormon party; was one of the owners of the proscribed press; had left the city, as he said, in fear of his life; and was one of the party asking for justice against its constituted authorities. He was interested to exaggerate the number of arms, rather than to place it at too low an estimate. From his information I learned that the Legion had received three pieces of cannon and about two hundred and fifty stand of small arms and their accoutrements. Of these, the three pieces of cannon and two hundred and twenty stand of small arms, were surrendered. These arms were demanded because the Legion was illegally used in the destruction of the press, and in enforcing martial law in the city, in open resistance to legal process, and the posse comitatus.

I demanded the surrender also on account of the great prejudice and excitement which the possession of these arms by the Mormons, had always kindled in the minds of the people. A large portion of the people, by pure misrepresentation, had been made to believe that the Legion had received of the State as many as thirty pieces of artillery, and

five or six thousand stand of small arms, which in all probability would soon be wielded for the conquest of the country; and for their subjection to Mormon domination. I was of opinion that the removal of these arms would tend much to allay this excitement and prejudice; and in point of fact, although wearing a severe aspect, would be an act of real kindness to the Mormons themselves.

On the 23d or 24th day of June, Joseph Smith, the Mayor of Nauvoo, together with his brother Hyrum, and all the members of the council, and all others demanded, came into Carthage and surrendered themselves prisoners to the constable, on the charge of riot. They all voluntarily entered into a recognizance before the Justice of the Peace for their appearance at court to answer the charge. And all of them were discharged from custody, except Joseph and Hyrum Smith, against whom the Magistrate had issued a new writ, on a complaint for treason. They were immediately arrested by the constable, on this new charge, and retained in his custody, to answer it.

The overt act of treason charged against them, consisted in the alledged levying of war against the State by declaring martial law in Nauvoo, and in ordering out the Legion to resist the posse comitatus. Their actual guiltiness of the charge, would depend upon circumstances. If their opponents had been seeking to put the law in force in good faith, and nothing more, then an array of a military force in open resistance to the posse comitatus, and the militia of the State, most probably would have amounted to treason. But if those opponents merely intended to use the process of the law, the militia of the State, and the posse comitatus, as cats paws to compass the possession of their persons for the purpose of murdering them afterwards, as the sequal demonstrated the fact to be, it might well be doubted whether they were guilty of treason.

Soon after the surrender of the Smiths, at their request I despatched Captain Singleton with his company from Brown county, to Nauvoo, to guard the town; and I authorized him to take command of the Legion. He reported to me afterwards, that he called out the Legion for inspection; and that upon two hours' notice, two thousand of them assembled, all of them armed; and this after the public arms had been taken away from them. So, it appears that they have a sufficiency of private arms, for any reasonable purpose.

After the Smiths had been arrested on the new charge of treason, the Justice of the Peace postponed the examination, because neither of the parties were prepared with their witnesses for trial. In the meantime he committed them to the jail of the county, for greater security.

In all this matter the justice of the peace and constable, though humble in office, were acting in a high and independent capacity, far beyond any legal power in me to control. I considered that the executive power, could only be called in to assist, and not to dictate, or control their action; that in the humble sphere of their duties, they were as independent, and clothed with as high authority by the law, as the Executive Department; and that my province was, simply, to aid them with the force of the State. It is true, that so far as I could prevail on them by advice, I endeavored to do so. The prisoners were not in military custody, or prisoners of war; and I could no more legally control these officers, than I could the superior courts of justice.

Some persons have supposed, that I ought to have had them sent to some more distant and friendly part of the State, for confinement and trial; and that I ought to have searched them for concealed arms; but these surmises and suppositions are readily disposed of, by the fact that they were not my prisoners; but were the prisoners of the constable and jailer, under the direction of the Justice of the Peace.

The jail in which they were confined, is a considerable stone building; containing a residence for the jailer, cells for the close and secure confinement of prisoners, and one larger room, not so strong, but more airy and comfortable than the cells. They were put into the cells by the jailer; but upon their remonstrance and request, and by my advice, they were transferred to the larger room; and there they remained until the final catastrophe. Neither they nor I, seriously apprehended an attack on the jail through the guard stationed to protect it. Nor did I apprehend the least danger on their part to escape. For I was very sure that any such an attempt would have been the signal of their immediate death. Indeed if they had escaped, it would have been fortunate for the purposes of those who were anxious for the expulsion of the Mormon population. For the great body of that people would most assuredly have followed their prophet and principal leaders, as they did in their flight from Missouri. Since their death, no one has arisen of influence enough to lead them in a similar manner.

The force assembled at Carthage amounted to about twelve or thirteen hundred men; and it was calculated that four or five hundred more, were assembled at Warsaw. Nearly all that portion resident in Hancock, were anxious to be marched into Nauvoo. This measure was supposed to be necessary, to search for counterfeit money, and the apparatus to make it; and also, to strike a salutary terror into the Mormon people, by an exhibition of the force of the State; and thereby prevent future outrages, murders, robberies, burnings and the like, apprehended as the effect of Mormon vengeance, on those who had taken a part against them. On my part, at one time this arrangement was agreed to. The morning of the 27th day of June was appointed for the march; and Golden's point, near the Mississippi river, and about equidistant from Nauvoo and Warsaw, was selected as the place of rendezvous. I had determined to prevail on the Justice to bring out his prisoners, and take them along. A council of officers however, determined that this would be highly inexpedient and dangerous; and offered such substantial reasons for their opinions, as induced me to change my resolution.

Two or three days' preparations had been made for this expedition. I observed that some of the people became more and more excited and inflamatory, the further the preparations were advanced. Occasional threats came to my ears, of destroying the city and murdering or expelling the inhabitants.

I had no objection to ease the terrors of the people by such a display of force; and was most anxious also to search for the alledged apparatus for making counterfeit money; and in fact to enquire into all the charges against that people, if I could have been assured of my command against matiny and insubordination. But I gradually learned to my entire satisfaction, that there was a plan to get the troops into Nauvoo, and then to begin the war, probably by some of our own party, or some of the

seceding Mormons, taking advantage of the night, to fire on our own force, and then laying it on the Mormons. I was satisfied that there were those amongst us fully capable of such an act; hoping that in the alarm, bustle, and confusion of a Militia camp, the truth could not be discovered, and that it might lead to the desired collision.

I had many objections to be made the dupe of any such, or similar artifice. I was openly and boldly opposed to any attack on the city, unless it should become necessary, to arrest prisoners legally charged and demanded. Indeed if any one will reflect upon the number of women, inoffensive young persons, and innocent children, which must be contained in such a city, of twelve or fifteen thousand inhabitants, it would seem to me his heart would relent and rebel against such violent resolutions. Nothing but the most blinded and obdurate fury, could incite a person, even if he had the power, to the willingness of driving such persons, bare and houseless, on to the prairies, to starve, suffer. and even steal, as they must have done for subsistence. No one who has children of his own, could think of it for a moment.

Besides this, if we had been ever so much disposed to commit such an act of wickedness, we evidently had not the power to do it. I was well assured that the Mormons, at a short notice, could muster as many as two or three thousand well armed men. We had not more than seventeen hundred; with three pieces of cannon and about twelve hundred stand of small arms. We had provisions for two days only; and would be compelled to disband at the end of that time. To think of beginning a war under such circumstances, was a plain absurdity. If the Mormons had succeeded in repulsing our attack, as most likely would have been the case, the country must necessarily be given up to their ravages until a new force could be assembled, and provisions made for its subsistence. Or if we should have succeeded in driving them from their city, they would have scattered over the country; and being justly incensed at our barbarity, and suffering with privation and hunger, would have spread desolation all over the country, without any possibility on our part, with the force we then had, of preventing it. Again, they would have had the advantage of being able to subsist their force in the field, by plundering their enemies.

All these considerations were duly urged by me, upon the attention of a council of officers, convened on the morning of the 27th of June. I also urged upon the council, that such wanton and unprovoked barbarity on their part, would turn the sympathy of the people in the surrounding counties, in favor of the Mormons; and thereafter, it would be impossible to raise a volunteer Militia force, to protect such a people against them. Many of the officers admitted that there might be danger of collision. But such was the blind fury prevailing at the time, though not showing itself by much visible excitement, that a small majority of the council adhered to the first resolution of marching into Nauvoo; most of the officers of the Schuyler and McDonough Militia, voting against it; and most of those of the county of Hancock voting in its favor.

A very responsible duty now devolved upon me, to determine whether I would, as Commander in Chief, be governed by the advice of this majority. I had no hesitation in deciding that I would not; but on the contrary, I ordered the troops to be disbanded, both at Carthage and Warsaw,

with the exception of three companies, two of which were retained as a guard to the jail, and the other was retained to accompany me to Nauvoo.

The officers insisted much in council, upon the necessity of marching to that place to search for apparatus to make counterfeit money, and more particularly to terrify the Mormons from attempting any open or secret measures of vengeance against the citizens of the county, who had taken a part against them or their leaders. To ease their terrors on this head, I proposed to them that I would myself proceed to the city, accompanied by a small force; make the proposed search, and deliver an address to the Mormons; and tell them plainly what degree of excitement and hatred prevailed against them in the minds of the whole people; and that if any open or secret violence should be committed on the persons or property of those who had taken part against them, that no one would doubt but that it had been perpetrated by them; and that it would be the sure and certain means of the destruction of their city and the extermination of their people.

I ordered two companies under the command of Captain B. F. Smith, of the Carthage Greys to guard the jail. In selecting these companies, and particularly the company of the Carthage Greys, for this service, I have been subjected to some censure. It has been said that this company had already been guilty of mutiny, and had been ordered to be arrested, whilst in the encampment at Carthage; and that they and their officers were the deadly enemies of the prisoners. Indeed it would have been difficult to find friends of the prisoners, under my command, unless I had called in the Mormons as a guard; and this, I was satisfied, would have led to the immediate war, and the sure death of the prisoners.

It is true that this company had behaved badly towards the Brigadier General in command, on the occasion when the prisoners were shown along the line of the McDonough Militia. This company had been ordered as a guard. They were under the belief that the prisoners who were arrested for a capital offence, were shown to the troops in a kind of triumph; and that they had been called on as a triumphal escort to grace the procession. They also, entertained a very bad feeling towards the Brigadier General who commanded their service on the occasion. The truth is, however, that this company was never ordered to be arrested; that the Smiths were not shown to the McDonough troops, as a mark of honor and triumph, but were shown to them at the urgent request of the troops themselves, to gratify their curiosity in beholding persons who had made themselves so notorious in the country.

When the Carthage Greys ascertained what was the true motive in showing the prisoners to the troops, they were perfectly satisfied. All due atonement was made on their part, for their conduct to the Brigadier General, and they cheerfully returned to their duty.

Although I knew that this company were the enemies of the Smiths, yet I had confidence in their loyalty and integrity; because their Captain was universally spoken of, as a most respectable citizen, and honorable man. The company itself, was an old independent company, well armed, uniformed and drilled; and the members of it were the elite of the militia of the country. I relied upon this company especially, because it was an independent company, for a long time instructed and practised in

military discipline and subordination. I also had their word and honor, officers and men, to do their duty according to law. Besides all this the officers and most of the men resided in Carthage; in the near vicinity of Nauvoo; and, as I thought must know that they would make themselves and their property, convenient and conspicous marks of Mormon vengeance, in case they were guilty of treachery.

I had at first intended to select a guard from the county of McDonough; but the militia of that county were very much dissatisfied to remain; their crops were suffering at home; they were in a perfect fever to be discharged; and I was destitute of provisions to supply them for more than a few days. They were far from home, where they could not supply themselves. Whilst the Carthage company could board at their own houses, and would be put to little inconvenience, in comparison.

What gave me greater confidence in the selection of this company as a prudent measure, was that the selection was first suggested and urged by the Brigadier General in command, who was well known to be utterly hostile to all mobocracy and violence towards the prisoners; and who was openly charged by the violent party, with being on the side of the Mormons. At any rate, I knew that the jail would have to be guarded as long as the prisoners were confined; that an imprisonment for treason might last the whole summer and the greater part of the autumn, before a trial could be had in the circuit court; that it would be utterly impossible in the circumstances of the country, to keep a force there from a foreign county, for so long a time; and that a time must surely come, when the duty of guarding the jail would necessarily devolve on the citizens of the county.

It is true, also, that at this time I had not believed or suspected, that any attack was to be made upon the prisoners in jail. It is true that I was aware that a great deal of hatred existed against them, and that there were those who would do them an injury if they could. I had heard of some threats being made, but none of an attack upon the prisoners whilst in jail. These threats seemed to be made by individuals, not acting in concert. They were no more than the bluster which might have been expected; and furnished no indication of numbers combining for this or any other purpose.

I must here be permitted to say, also, that frequent appeals had been made to me to make a clean and thorough work of the matter by exterminating the Mormons, or expelling them from the State. An opinion seemed generally to prevail, that the sanction of Executive authority would legalize the act; and all persons of any influence, authority, or note, who conversed with me on the subject, frequently and repeatedly stated their total unwillingness to act without my direction; or in any mode except according to law.

This was a circumstance well calculated to conceal from me, the secret machinations on foot. I had constantly contended against violent measures, and so had the Brigadier General in command; and I am convinced that unusual pains were taken to conceal from both of us, the secret measures resolved upon. It has been said, however, that some person named W lliams, in a public speech at Carthage, called for volunteers to murder the Smiths; and that I ought to have had him arrested. Wheth-

er such a speech was really made or not, is yet unknown to me. I have heard the report of it for the first time, within the last few weeks.

Having ordered the guard, and discharged the residue of the militia, I immediately departed for Nauvoo, eighteen miles distant, accompanied by Col. Buckmaster, Quartermaster General, and Capt. Dunn's Company of dragoons.

After we had proceeded four miles, Col. Buckmaster intimated to me, a suspicion, that an attack would be made on the jail. He stated the matter as a mere suspicion, arising from having seen two persons converse together at Carthage, with some air of mystery. I, myself, entertained no suspicion of such an attack; at any rate none before the next day, in the afternoon. Because it was notorious, that we had departed from Carthage, with the declared intention of being absent, at least two days. I could not believe, that any person would attack the jail, whilst we were in Nauvoo; and thereby expose my life, and the lives of my companions, to the sudden vengeance of the Mormons, upon hearing of the death of their leaders. Nevertheless, acting upon the principle of providing against mere possibilities, I sent back one of the company, with a special order to Capt. Smith, to guard the jail strictly and at the peril of his life, until my return.

We proceeded on our journey four miles further. By this time I had convinced myself that no attack would be made on the jail that day, or night. I supposed that a regard for my safety, and the safety of my companions, would prevent an attack, until those to be engaged in it, could be assured of our departure from Nauvoo. I still think, that this ought to have appeared to me, to be a reasonable supposition.

I, therefore, determined at this point, to omit making the search for counterfeit money in Nauvoo; and defer, an examination of all the other abominations charged on that people, in order to return to Carthage that same night, that I might be on the ground in person, in time to prevent an attack on the jail, if any had been meditated. To this end we called a halt; the baggage wagons were ordered to remain where they were, until towards evening; and then return to Carthage.

Having made these arrangements, we proceeded on our march, and arrived at Nauvoo about four o'clock, of the afternoon, of the 27th day of June. As soon as notice could be given, a crowd of the citizens assembled, to hear an address, which I proposed to deliver them. The number present, has been variously estimated, from one, to five thousand.

In this address I stated to them, how, and in what, their functionaries had violated the laws. Also the many scandalous reports in circulation against them, and that these reports, whether true or false, were generally believed by the people. I distinctly stated to them the amount of hatred and prejudice, which prevailed every where against them, and the causes of it, at length.

I also told them plainly and emphatically, that if any vengeance should be attempted openly or secretly against the persons or property of the citizens, who had taken part against their leaders, that the public hatred and excitement was such, that thousands would assemble for the total destruction of their city; and the extermination of their people; and that no power in the State would be able to prevent it. During this ad-

dress some impatience and resentment, were manifested by the Mormons, at the recital of the various reports enumerated concerning them; which they strenuously, and indignantly denied to be true. They claimed to be a law abiding people; and insisted, that as they looked to the law alone for their protection, so were they careful themselves to observe its provisions. Upon the conclusion of this address, I proposed to take a vote on the question, whether they would strictly observe laws, even in opposition to their prophet and leaders. The vote was unanimous, in favor of this proposition.

A short time before sun down, we departed on our return to Carthage. When we had proceeded two miles, we met two individuals, one of them a Mormon, who informed us, that the Smiths, had been assassinated in jail, about five or six o'clock of that day. The intelligence seemed to strike every one with a kind of dumbness. As to myself, it was perfectly astounding; and I anticipated the very worst consequences from it. The Mormons had been represented to me as a lawless, infatuated, and fanatical people, not governed by the ordinary motives, which influence the majority of mankind. If so, most likely, an exterminating war would ensue, and the whole land would be covered with desolation.

Acting upon this supposition, it was my duty to provide as well as I could for the event. I, therefore, ordered the two messengers into custody, and to be returned with us, to Carthage. This was done, to get time to make such arrangement as could be made; and to prevent any sudden explosion of Mormon excitement, before they could be written to, by their friends at Carthage. I, also, despatched messengers to Warsaw, to advise the citizens of the event. But the people there, knew all about the matter, before my messengers arrived. They, like myself, anticipated a general attack all over the country. The women and children were removed across the river; and a committee was despatched that night to Quincy for assistance. The next morning, by day light, the ringing of all the bells in the city announced a public meeting. The people assembled in great numbers, at an early hour. The Warsaw committee stated to the meeting, that a party of Mormons, had attempted to rescue the Smiths out of jail; that a party of Missourians, and others had killed the prisoners to prevent their escape; that the Governor and his party were at Nauvoo, at the time, when intelligence of the fact was brought there; that they, had been attacked by the Nauvoo Legion, and had retreated to a house, where they were then closely besieged. That the Governor had sent out word that he could maintain his position for two days, and would be certain to be massacred, if assistance did not arrive by the end of that time. It is unnecessary to say, that this entire story was a fabrication. It was of a piece with the other reports, put into circulation by the anti-Mormon party, to influence the public mind, and call the people to their assistance. The effect of it, however, was, that by ten o'clock, on the 28th of June, between two and three hundred men, from Quincy, under the command of Major Flood, embarked on board of a steam boat, for Nauvoo, to assist in raising the siege, as they honestly believed.

As for myself, I was well convinced that those, whoever they were, who assassinated the Smiths, meditated in turn, my assassination by the Mormons. The very circumstances of the case, fully corroborated the

information, which I afterwards received, that upon consultation of the assassins, it was agreed amongst them, that the murder must be committed whilst the Governor was at Nauvoo; that the Mormons would naturally suppose that he had planned it; and that in the first outpouring of their indignation, they would assassinate him, by way of retaliation. And that thus they would get clear of the Smiths and the Governor, all at once. They, also, supposed, that if they could so contrive the matter, as to have the Governor of the State assassinated by the Mormons, the public excitement would be greatly increased against them, and would result in their expulsion from the State at least.

Upon the first hearing of the assassination of the Smiths, I was sensible that my command was at an end; that my destruction was meditated as well as that of the Mormons; and that I could not reasonably confide longer, in the one party or in the other.

The question then arose, what would be proper to be done. A war was expected by every body. I was desirous of preserving the peace. I could not put myself at the head of the Mormon force, with any kind of propriety; and without exciting greater odium against them, than already existed. I could not put myself at the head of the anti-Mormon party, because they had justly forfeited my confidence, and my command over them, was put an end to, by mutiny and treachery. I could not put myself at the head of either of these forces; because both of them, in turn, had violated the law; and as I then believed, meditated further aggression. It appeared to me, that if a war ensued, I ought to have a force in which I could confide, and that I ought to establish my Head Quarters at a place where I could learn the truth, as to what was going on.

For these reasons, I determined to proceed to Quincy, a place favorably situated for receiving the earliest intelligence; for issuing orders to raise an army if necessary, and for providing supplies for its subsistance. But first, I determined to return back to Carthage, and make such arrangements as could be made for the pacification and defence of the country. When I arrived there, about 10 o'clock at night, I found that great consternation prevailed. Many of the citizens had departed with their families, and others were preparing to go. As the country was utterly defenceless, this seemed to me to be a proper precaution. One company of the guard, stationed by me, to guard the jail, had disbanded and gone home before the jail was attacked; and many of the Carthage Greys departed soon afterwards.

Gen. Deming, volunteered to remain, in command of a few men, with orders to guard the town, observe the progress of events, and to retreat if menaced by a superior force.

Here, also, I found Doct. Richards and Mr. Taylor, two of the principal Mormon leaders, who had been in the jail, at the time of the attack; and who voluntarily addressed, a most pacific exhortation to their fellow citizens, which was the first intelligence of the murder, which was received at Nauvoo. I think it very probable, that the subsequent good conduct of the Mormons, is attributable to the arrest of the messengers; and to the influence of this letter.

Having made these arrangements I departed for Quincy. On my road thither, I heard of a body of militia marching from Schuyler; and another from Brown. It appears, that orders had been sent out in

my name, but without my knowledge, for the militia of Schuyler county. I immediately countermanded their march, and they returned to their homes. When I arrived at Columbus, I found that Captain Jonas had raised a company of one hundred men, who were just ready to march. By my advice, they postponed their march, to await further orders. I arrived at Quincy on the morning of the 29th of June, about 8 o'clock; and immediately issued orders, provisionally, for raising an imposing force, when it should seem to be necessary.

I remained at Quincy for about one month, during which time a committee from Warsaw, waited on me, with a written request that I would expel the Mormons from the State. It seemed, that it never occurred to these gentlemen, that I had no power to exile a citizen; but they insisted that if this were not done, their party would abandon the State. This requisition was refused, of course.

During this time also, with the view of saving expense, keeping the peace, and having a force which would be removed from the prejudices, in the country, I made application to the United States for five hundred men, of the regular army, to be stationed for a time, in Hancock county, which was subsequently refused.

During this time, also, I had secret agents amongst all parties, observing their movements; and was accurately informed of every thing which was meditated on both sides. It appeared that the anti-Mormon party, had not relinquished their hostility to the Mormons; nor their determination to expel them: but had deferred further operations until the fall season, after they had finished their summer's work on their farms.

I cannot lay before you the estimates, of the costs of these proceedings. I do not know that any estimates have ever been made by the proper officers; and certainly none have been returned to me, except for the transportation of the Quincy Militia to Warsaw and back. And I do not know that any claim will be made by the men.

I omit to say any thing of the manner of the murder of the Smiths; or of the persons by whom the murder was committed, because several persons are under indictment for their supposed share in the act; and it is not proper that I should say any thing, which might, possibly prejudice a fair and impartial trial.

It has always appeared to me, however, that the persons who committed the deed, ought to be made to answer for their crime. The honor of the State and the supremacy of the laws seemed to be compromitted; a trial ought to be insisted on, exactly as in other cases; and if the accused, have all the matters of defence and justification on their side, which they claim, they will be able to show them to the court.

During the latter part of August and first of September last, I observed that the anti-Mormon paper, in Hancock county, renewed its attacks on the Mormons; every number of which, groaned with charges of larcenies and robberies and meditated outrages. By this fact, connected with my previous information, I was certain that the time was approaching, when a new attempt was to be made to expel the Mormons. In a short time afterwards, I ascertained that the officers of the militia in Hancock county, had appointed a grand military parade, at Warsaw to come off on the 26th day of October. Circulars were printed, signed by these officers, and extensively circulated in Iowa Territory; in the State of Missouri;

and in the neighboring counties; inviting the militia in all those parts, to attend the parade; and to come prepared for a six days' encampment.

It was also extensively given out, that there was to be a grand wolf hunt; and that the Mormons and Jack-Mormons, were the wolves to be hunted. A large number engaged in getting up this movement, openly stated, that the object of it, was to make war on the Mormons.

I could not hesitate, as to what duty required. The State had already been in danger of disgrace by a treacherous and cowardly murder. The Mormons had been peaceable, submissive and quiet, ever since the death of the Smiths; and contrary to general expectation instead of attempting to avenge themselves, either openly or secretly, had quietly, and patiently submitted to the slow operation of the laws, to redress their grievances.

They were human beings; and citizens of the State. They had not been disfranchised by law, and were constitutionally entitled to protection.

From respect to the prejudices of my fellow-citizens, I declined to authorise the legion to be called out, to suppress disturbances; but immediately issued a call for volunteers from the State militia.

The call was answered by four or five hundred men. I requested General Hardin, to take the command. He did so with alacrity; thereby exhibiting a patriotic devotion, in maintaining the supremacy of the law, even against the advice of many of his personal and political friends.

We marched with as much alacrity as possible, and arrived in Hancock county, on the 25th day of October. The malcontents abandoned their design, and I believe all the leaders of it fled to Missouri. The Carthage Grey's fled almost in a body; and every one fled who, from his previous conduct, supposed himself obnoxious as a leader.

During our presence in the county writs were taken out against three persons charged with the murder of the Smiths. They also fled to Missouri. As for myself, although I was determined from the first, for the honor of the State, that this murder should be fully enquired into; and some of the guilty brought to trial; yet, I was never anxious to proceed with the full rigor of the law. I always insisted that the prosecutions should be limited to a few individuals, and I was utterly opposed to all such unnecessary harshness, as would excite sympathy in their favor.

For this reason, I consented to advise the prosecuting attorney, to admit them to bail and to agree to a continuance of the cause, if desired, by the defendants. Upon this arrangement being made, to which I was also advised by Gen. Hardin and Col. Baker, the persons accused surrendered themselves to the Sheriff.

The militia were disbanded next morning and returned home, after a campaign of about thirteen days.

The good effect of this expedition is, that in my opinion it has saved much bloodshed; and has prevented a more extensive contest than many persons anticipated, all over that part of the country: to which the people, from political considerations, growing out of an excited election then pending, were about to be made parties.

It also, shewed to both parties in Hancock, that the people at a distance would not be quiet spectators of such a contest; but would rally around their constituted authorities to put it down. This is a fact, which one of the parties, before the experiment was tried, would not believe. They

supposed that the Mormons, were so odious and unpopular, that they might be massacred with impunity; that the people, generally would not have the will, nor the Government the power, to interfere to prevent it.

I have not yet received the estimates of the costs of this expedition; but I am informed by letter from Maj. W. B. Warren, Aid de Camp to Gen. Hardin, who is preparing them, that the whole cost, will not exceed eight or nine thousand dollars. When they are received, they will be laid before you.

I have extended this account, I am afraid too far; and yet there is much to say, calculated to throw light, on these proceedings.

As to the Nauvoo charters, about which so much has been said, among the people, the privileges therein contained, were much abused during the lifetime of the Smiths. Ordinances have been passed, inflicting a different and more severe punishment, upon well defined crimes than what is provided by the laws of the State. The city council passed an ordinance, that no arrest should be made in the city, unless the writ for that purpose, should be first, approved and endorsed by the Mayor. They also, provided for a severe punishment, against any officer attempting such arrest, without this approval; and enacted that the Governor of the State should not pardon the offender, except by consent of the Mayor. And they, also provided that the Municipal court, should have a general power to issue writs of habeas corpus. These last ordinances are alleged to have been passed to protect their citizens, from the continued persecutions of the Missourians. They may have been useful, in the lifetime of the Smiths to protect them; but since their death, there has been, and most probably will be, no call for the exercise of such usurped authority.

The Nauvoo Legion also, has been a great offence to the people of this State. It has been represented to be a standing army, of four or five thousand, well drilled, and well disciplined forces. This legion was called out for review, during my last visit there. I do not pretend myself to be skilled in military science; but it was the decided opinion of all the field officers, who accompanied me, that this legion is in no wise superior to the common militia, and that in fact they were inferior to most of the militia in the State.

I would recommend that the Legion be repealed; and that Nauvoo, should be formed into a brigade by itself. It will be impossible for the Nauvoo militia, and that of the surrounding country, to act together in peace for some time to come.

I see very strong indications on the part of both Houses, to make an entire repeal of all these charters. I do not see how, ten or twelve thousand people, can well do in a city, without some chartered privileges. I would advise, that all the obnoxious parts, of these charters should be repealed; and an ample provision made against any future abuses of power, thus leaving all the really useful parts of their city charter; and placing them upon grounds of some equality with other citizens. This is republican and cannot be denied without injustice.

I am very respectfully,

Your obedient servant,

THOMAS FORD.

Springfield, December 17, 1844.